

RELEASED IN FULL

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 FM AMEMBASSY THE HAGUE  
 TO SECSTATE WASHDC IMMEDIATE 4286  
 INFO AMCONSUL AMSTERDAM  
 NATO EU COLLECTIVE

UNCLAS THE HAGUE 003274

STATE FOR EUR (GRAFFY), EUR/UBI, EUR/PPD (FITZGERALD,  
 CERVETTI, LOCKARD)

E.O. 12958: N/A  
 TAGS: KPAO, PREL, NL  
 SUBJECT: MEDIA REACTION--SECRETARY'S REPLY TO EU ON

## RENDITIONS

1. Embassy distributed Secretary Rice's December 5 statement to 130 contacts including major media outlets, media commentators, parliamentarians and academics. Embassy has encouraged all major newspapers to print the full text of her remarks. According to media reports Dutch FM Bot acknowledged the distinction between "renditions" and kidnapping, but characterized the U.S. response to the EU's concerns as "unsatisfactory." The Secretary's statement that the USG may make mistakes in its fight against terrorism received broad media coverage.

## News Coverage

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2. FM Bot told the Second Chamber December 6 that Secretary Rice's comments about flights and detention centers for terrorist suspects were "unsatisfactory" and predicted she would face heated debate on her European tour. He said the Secretary has to offer more clarity about the controversy during the [NATO] meeting. Bot told MPs 'rendition' was not kidnapping, explaining it was a speedy process used in lieu of normal extraditions, which can take years to work their way through the courts. Bot was unable to give any

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information on alleged CIA flights that reportedly stopped over in the Netherlands, explaining that flight plans only have to report hazardous materials on board, their departure port, and their destination. Dutch media began reporting 11/28 on alleged CIA flights at Schipol airport, and on 12/6 added the airport in Rotterdam as a Dutch facility allegedly used for such flights.

**Analysis**

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3. In "Rice's Defense Raises Many Questions," daily TROUW agrees with the use of renditions but questions the scale of their use. The paper concludes that the CIA on a regular basis picks up suspects based on evidence that is too thin. The paper acknowledges that renditions may be necessary in the case of Afghanistan, but questions whether that is the case with suspects from Germany, Italy, Sweden, and Canada. The paper notes the discussion in the US about the definition of 'torture' and statements from released suspects who claim their treatment amounted to torture. The paper wonders on what basis the Secretary could say that renditions are allowed within international laws, and to what extent the US respects the sovereignty of countries that are not cooperating with some part of the fight against terrorism.

**Editorials**

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4. Daily DE VOLSKRANT on "CIA Practices": "Secretary of State Rice's position cannot exactly be called enviable. For ten months she has been making efforts to improve relations with European allies and to show that the Bush administration in its second term would be serious about consulting [allies] and to gear policies to one another. but if she had hoped to reap the fruits of this labor during her current rounds through Europe, she will be disappointed. For this trip is being overshadowed by an issue which probably has also taken her by surprise: the indications that there are or have been secret CIA detention centers in Europe for terrorist suspects. The fact that Rice thought it necessary to elaborate on this sensitive issue is in itself already a positive thing. But despite all the elaborations, some urgent questions remained unanswered. Is the large number of possible CIA flights in Europe correct. if the Bush administration indeed values the Convention against Torture, then why is Vice President Cheney making huge efforts to give the CIA more room for interrogation of terrorists? Does kidnapping a radical Muslim preacher in

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Italy fall under 'renditions' .?

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"True, today's terror threat sets special demands on intelligence services. Part of the intelligence work has to be done outside the public eye. Rice is also right if she says that the rules of international (war) law cannot always be applicable to the treatment of captured terrorists. But all of this should be an extra reason to come to new, clear agreements about the limits a legal state should take into account. For only on that basis will the fight against terrorism get the necessary international backing.

"Unfortunately, the Bush administration has in the past few years mainly created the impression that respecting international legal norms is actually a favor and that it wants to stretch the rules as much as possible. The Atlantic Alliance is more served by a clear signal from the

RENDITIONS

White House that at this crucial point, it has changed its policy than it would be by accountability over recent CIA practices. This could be done, for example, by fully supporting the amendment proposed by Senator McCain which bans all inhumane treatment of prisoners."

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